

Serial No.: 09/657,414 Filed: 9/8/00
Patent No.: _____ Issued:
Applicant: Gummalla, et al.
Title: A System and Method for Providing High Speed Wireless Media Access
Docket No.: 62004-1510 C/M Date: 12/22/03
EM No.: _____ Due Date: 3/5/04

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- ☐ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Reference(s) ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☒ Amendment Transmittal Page
- ☒ Amendment:
 - ☒ Non-Final ☐ Final
 - ☐ After Not. Allow ☐ Unentered
- ☐ Response to Advisory Action
- ☐ Petition for EOT to:
- ☐ Claim of Priority & Sub. Cert. Copy of Foreign Application
- ☐ Other:

Person Mailing: SLR

Responsible Atty: SAH/CDG

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- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry (in duplicate)
- ☐ Notice of Appeal
- ☐ Appeal Brief (in Triplicate)
- ☐ Request for Refund
- ☐ Request for Correction F/R
- ☐ Notice of Continuation Applic.
- ☐ Issue Fee Trx. ☐ In Dupl.
- ☐ Sheets of Drawings
 - ☐ Formal ☐ Informal
- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/I NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
 - ☐ 3.5 ☐ 7.5 ☐ 11.5
 - ☐ in duplicate

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THOMAS, KAYDEN
HORSTEMEYER & RISLEY, L.L.P.

JAN 02 2004

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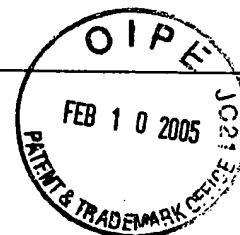
Person Mailing: SLR

Responsible Atty: SAH/CDG

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AMENDMENT TRANSMITTAL LETTER (SMALL)Applicant(s): **Gummalla, et al.**

Docket No.

062004-1510Serial No.
09/657,414Filing Date
9/8/00Examiner
Timothy L. LeeConfirmation No.
2488Group Art Unit
2662Invention: **A System and Method for Providing High Speed Wireless Media Access****Commissioner for Patents
Mail Stop Non-Fee Amendment
P.O. Box 1450
Alexandria VA 22313-1450**

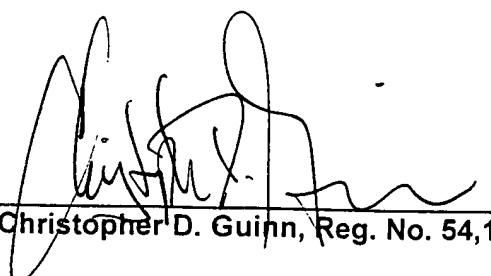
Transmitted herewith is Response in the above-identified application.

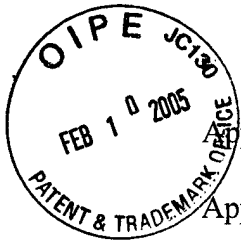
The fee has been calculated and is transmitted as shown below

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	23 -	23 =	0	X \$9.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	X \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$145.00	\$
EXTENSION FEE	1 ST MONTH <input type="checkbox"/> 55.00	2 ND MONTH <input type="checkbox"/> 210.00	3 RD MONTH <input type="checkbox"/> 475.00	4 TH MONTH <input type="checkbox"/> 740.00	\$
Other Fees:					\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for the Response.
☐ Please charge Deposit Account No. _____ in the amount of _____
☐ A check in the amount of _____ to cover the filing fee is enclosed. A duplicate copy of this page is enclosed.
☐ A Credit Card Payment Form PTO-2038 is attached in the amount of \$ _____
☒ The Director is hereby authorized to charge any deficiencies of the above fees or credit any overpayment to Deposit Account No. 20-0778. A duplicate copy of this page is enclosed.


Christopher D. Guinn, Reg. No. 54,14212/22/2003
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/657,414

Art Unit: 2662

Applicant: Gummala, *et al.*

Examiner: Timothy L. Lee

Filed: September 8, 2000

Confirmation No.: 2488

Title: **A SYSTEM AND METHOD
FOR PROVIDING HIGH SPEED
WIRELESS MEDIA ACCESS**

Docket No.: 062004-1510

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 2/8/05.

Stephanie Riley
Signature – Stephanie Riley

**RESUBMISSION OF
AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Resubmission of Amendment and Response to First Office Action is submitted pursuant to a telephone discussion on February 4, 2005 between Examiner Donald Mills and Applicants' attorney. Examiner Mills alleges that Applicants' "Amendment and Response to First Office Action," mailed December 23, 2003 (filed in response to the Office Action mailed December 5, 2003), was not received by the Office.

Applicants have not received a Notice of Abandonment, and indeed, Examiner Mills indicated that one had not been sent. However, any Notice of Abandonment sent would have been sent in error for at least the reason that the Amendment and Response to First Office Action was indeed filed on December 23, 2003, well within the statutory limits for a timely reply to the December 5, 2003 Office Action.

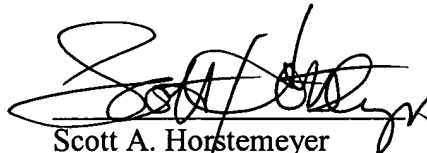
A copy of the return postcard from the USPTO, clearly showing receipt of the Amendment, is enclosed. Furthermore, a full copy of the Amendment and Response to First Office Action, as filed on December 22, 2003 (including a Certificate of Mailing confirming the mailing date), is also enclosed.

In the event that the Office regards this application as abandoned, this communication serves as a Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181(a), and Applicants request that the Commissioner reconsider and kindly withdraw the holding of abandonment. In accordance with 37 C.F.R. § 1.181(a), no fees are required with this petition. If, however, any fee is believed to be due, you are hereby authorized to charge any such fee to deposit account No. 20-0778.

Examination on the merits of this application with respect to the Amendment is hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at (770) 933-9500.

In the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to deposit account no. 20-0778.

Respectfully submitted,


Scott A. Horstemeyer
Reg. No. 34,183

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500

Attachment: Copy of Amendment and Accompanying Papers
Copy of Returned Postcard w/USPTO Mail Stamp



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	Group Art Unit: 2662
)	
Gummalla, et al.)	Examiner: Timothy L. Lee
)	
Serial No.: 09/657,414)	Confirmation No.: 2488
)	
Filed: 9/8/00)	Docket No.: 062004-1510
)	
)	
For: A SYSTEM AND METHOD)	
FOR PROVIDING HIGH SPEED)	
WIRELESS MEDIA ACCESS)	

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 12/22/03.

Stephanie Riley
Stephanie Riley

AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The non-final Office Action mailed December 5, 2003 (Paper No. 5) has been carefully considered. In response thereto, please enter the following amendments and consider the following remarks.